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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

LEROY NELSON

: DOCKET NO. 2:05-cv-1411

VS.

: JUDGE TRIMBLE

ALBERTO GONZALEZ, ET AL.

: MAGISTRATE JUDGE WILSON

JUDGMENT

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, an independent review of the record has led this court to conclude that the proposed findings and conclusions are entirely correct. Accordingly, it is

ORDERED that the respondents' "Motion to Dismiss, alternatively, for Summary Judgement" [doc. 12] be GRANTED and that this petition be DISMISSED as premature.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 3rd day of

January, 2006.

James T. Trimble, Jr.
JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE